

**MICHAEL A. O'CONNOR**  
**MAYOR**

**THOMAS J. PAVLIK**  
**CITY CLERK**

**MINUTES**  
**BERWYN CITY COUNCIL**  
**NOVEMBER 22, 2005**

- 1) The regular meeting of the Berwyn City Council was called to order at 8:15 p.m. with Mayor O'Connor presiding. Upon the call of the roll, the following members responded present: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Absent: none. Thereafter, the Mayor declared a quorum present and the meeting duly convened for further business.
- 2) The Pledge of Allegiance was recited and the Mayor called for a moment of silence for the men and women serving overseas that will be away for the holidays.
- 3) The open forum portion of the meeting was announced. The Mayor introduced State Senator Martin Sandoval who presented the City with a check for \$250,000 for the renovation of the 16<sup>th</sup> Street facility. Sandra Van Goethem spoke on the Citizens Police Academy. Ted Korbos, 3247 Ridgeland requested a referendum separating Morton East and West High Schools. Wayne Parthum, 3606 Clarence Avenue of the Combined Veterans thanked all who supported the Veteran's Day celebrations. Tony DeSalvo, 3548 Maple spoke in support of the Mayor.
- 4) The minutes of the Berwyn City Council meeting held on November 8, 2005 were submitted. Brocato made a motion, seconded by Skryd to approve the minutes as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 5) Chapman made a motion, seconded by Ramos to suspend the rules and bring forth item J-1, a communication from the Berwyn Development Corporation thanking those who assisted in the re-decorating of the Berwyn Depot. The motion carried by voice vote. Brocato made a motion, seconded by Weiner to accept the matter as informational. The motion carried by voice vote.
- 6) A deferred communication and ordinance was submitted by the Mayor entitled:

**AN ORDINANCE TO RESTRICT NUMBER OF LIQUOR LICENSES AND AMENDING SECTION 804.07 OF THE CODE OF ORDINANCES OF THE CITY OF BERWYN, COOK COUNTY, ILL.**

Thereafter, Chapman made a motion, seconded by Skryd to concur, adopt the ordinance as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 7) The Mayor submitted a Proclamation congratulating Sidney Scott Pyskny for reaching the rank of Eagle Scout. Thereafter, Chapman made a motion, which was unanimously seconded to concur and adopt the Proclamation as presented. The motion carried by voice vote.
- 8) The Mayor submitted a communication regarding the Berwyn Banners. Chapman made a motion, seconded by Skryd to waive the reading, accept the matter as informational and refer the matter to the Berwyn Development Corporation to start the bidding process. The motion carried by voice vote.
- 9) The Mayor submitted a communication requesting the City prepare bid specifications for a new telephone system. After discussion, Brocato made a motion, seconded by Skryd to concur and refer the matter to the Budget Committee. The motion carried by voice vote.
- 10) The Mayor submitted a communication announcing the Christmas Tree Lighting Ceremony to be held on Tuesday, November 29, 2005 at 6:00 p.m. Chapman made a motion, seconded by Skryd to accept the matter as informational. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 11) The Mayor submitted a communication regarding bidding for insurance brokers. Lovero made a motion, seconded by Chapman to withdraw the communication. The motion carried by voice vote.
- 12) The Mayor submitted an ordinance entitled:

**AN ORDINANCE APPROVING CERTIFICATES OF ABATEMENT FOR THE SERIES 2001 BONDS, SERIES 2002A BONDS AND THE SERIES 2002B BONDS ISSUED BY THE CITY OF BERWYN, COOK COUNTY, ILLINOIS**

Thereafter, Chapman made a motion, seconded by Skryd to concur, adopt the ordinance as presented and authorize the corporate

authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 13) The Mayor submitted a communication requesting the Aldermanic Committee for Education along with representation from the Police Department oversee the Drug Forfeiture Funds. Thereafter, Ramos made a motion, seconded by Skryd to concur in the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 14) A deferred Resolution and Ordinance was submitted by the Zoning Board of Appeals regarding the Dewey Atkins property at 3625 Wesley Avenue. Thereafter, Chapman made a motion, seconded by Skryd to concur in the recommendation of the Zoning Board of Appeals and deny the variance as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 15) The Ordinance and Resolution Committee submitted a Resolution and Agreement entitled:

**AN INTERGOVERNMENTAL AGREEMENT WITH YOUTH IN CRISIS  
AND THE CITY OF BERWYN**

Thereafter, Lovero made a motion, seconded by Skryd to concur, adopt the Resolution as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 16) The Ordinance and Resolution Committee submitted an ordinance entitled:

**AN ORDINANCE AMENDING THE BUSINESS REGULATION AND  
TAX CODE OF THE CITY OF BERWYN REGARDING BILLIARD  
AND POOL ROOMS**

Thereafter, Skryd made a motion, seconded by Weiner to concur, adopt the ordinance as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Erickson.

- 17) The Ordinance and Resolution Committee submitted an ordinance entitled:

**AN ORDINANCE AMENDING THE BUSINESS REGULATION AND TAX CODE OF THE CITY OF BERWYN REGARDING REE SCHEDULES FOR AUTOMATIC AMUSEMENT MACHINES**

Thereafter, Skryd made a motion, seconded by Ramos to concur, adopt the ordinance as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Erickson.

- 18) The Ordinance and Resolution Committee submitted an ordinance entitled:

**AN ORDINANCE AMENDING THE BUSINESS REGULATION AND TAX CODE OF THE CITY OF BERWYN REGARDING COIN OPERATED AMUSEMENT DEVICES AND PHOTOELECTRIC AMUSEMENT DEVICES**

Thereafter, Skryd made a motion, seconded by Chapman to concur, adopt the ordinance as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Brocato, Phelan, Lovero. Nays: Weiner, Erickson.

- 19) The Ordinance and Resolution Committee submitted an ordinance entitled:

**AN ORDINANCE AMENDING THE BUSINESS REGULATION AND TAX CODE OF THE CITY OF BERWYN REGARDING FEE SCHEDULES FOR AUTOMATIC AMUSEMENT MACHINES**

Thereafter, Skryd made a motion, seconded by Chapman to concur, adopt the ordinance as presented and authorize the corporate authorities to affix their signatures thereto. The motion carried by the following roll call: Yeas: Chapman, Ramos, Skryd, Brocato, Phelan, Lovero. Nays: Weiner, Erickson.

- 20) Chapman made a motion, seconded by Erickson to suspend the rules and bring forth H-21 as germane. The motion carried by voice vote. The Joint Administration/Budget Committee submitted a communication regarding residential parking permits vs. residential zone parking and Erickson submitted a communication regarding a citywide parking policy and the 8<sup>th</sup> Ward project. Erickson made a

motion, seconded by Chapman to concur and adopt the communication as presented and refer the matter to the Ordinance/Resolution Committee for drafting of an ordinance. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Phelan, Lovero, Erickson. Nays: Brocato.

- 21) Chapman made a motion, seconded by Lovero to suspend the rules and bring forth H-22 as germane. The motion carried by voice vote. The Joint Administration/Budget Committee submitted a communication regarding Motion #2 in residential permit parking and Erickson submitted a communication regarding Phase one of the "Take Back our Streets Agenda. After discussion, Erickson made a motion, seconded by Chapman to concur and adopt paragraph (3) only as it pertains to amending 422.99 penalty and to refer the remainder to the Ordinance and Resolution Committee

462.02(e) Resides in City Registers Elsewhere

462.07(a) No "Vehicle Tag" Displayed

462.09 Misuse of Plates and Stickers

484.04 Illegal Use of Visitors Pass

The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 22) Chapman made a motion, seconded by Ramos to suspend the rules and bring forth item H-9, as germane. The Joint Administration and Budget Committees submitted communications regarding overnight parking 3 to 9 a.m. by purchasing visitor pass booklets (15 passes per book). After discussion, Chapman made a motion, seconded by Ramos to refer the matter to a Joint Administration and Budget Committee meeting. The motion carried by voice vote.
- 23) Chapman made a motion, seconded by Skryd to suspend the rules and bring forth item H-19, as germane. The Joint Administration and Budget Committees submitted communications requesting the marking of the Roosevelt Road Corridor for 28 additional parking spaces. After discussion, Chapman made a motion, seconded by Brocato to concur and approve the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 24) The Joint Administration and Budget Committee submitted a communication regarding a new line item for an Aldermanic Attorney. After discussion, Erickson made a motion, seconded by Chapman to concur in the recommendation and refer the matter to the Resolution and Ordinance Committee for drafting of an appropriate ordinance.

The motion failed by the following roll call: Yeas: Chapman, Ramos, Phelan, Erickson. Nays: Weiner, Skryd, Brocato, Lovero, O'Connor.

- 25) The Budget Committee submitted a communication regarding mid year adjustments, the 2005 Tax Levy and the \$8.8 million dollar loan. Chapman made a motion, seconded by Skryd to refer the matter to the Human Resource Department. The motion carried by voice vote.
- 26) Alderman Chapman submitted an Ordinance amending the Administrative Code regarding the duties of standing committees. Thereafter, Chapman made a motion, seconded by Skryd to defer the matter. The motion carried by voice vote.
- 27) Alderman Chapman submitted a communication regarding Mary F. Sandy, CBCP as Project Manager. After discussion, Chapman made a motion, seconded by Lovero to concur and for Ms. Sandy to prepare a confidentiality contract with the City of Berwyn. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 28) Alderman Chapman submitted the payroll report for November 16, 2005 in the total amount of \$726,819.92. Thereafter, Chapman made a motion, seconded by Skryd, to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 29) Alderman Chapman submitted the payables for November 22, 2005 in the total amount of \$1,507,032.11. Chapman made a motion, seconded by Skryd, to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 30) Alderman Skryd submitted a communication regarding a Stop sign on 23<sup>rd</sup> and Scoville Avenue. Thereafter, Skryd made a motion, seconded by Brocato, to refer the matter to the Police Department for a traffic study and report. The motion carried by voice vote.
- 31) Alderman Skryd submitted a communication regarding the Illinois Main Street Program held in Springfield, Illinois. After discussion, Skryd made a motion, seconded by Chapman, to concur and approve and refer the matter to the Mayor's Advisory Committee. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.

- 32) Alderman Erickson submitted a communication regarding Aldermanic Attorney and the case of Sampson vs. Graves. Erickson made a motion, seconded by Chapman, to accept the matter as informational. The motion carried by voice vote.
- 33) Alderman Erickson re-submitted H-22, a communication regarding Alderman Phase I "Take Back Our Streets Agenda". After discussion, Chapman made a motion, seconded by Weiner to defer and refer paragraphs 4, 5, 6, and 7 of the communication to the Committee of the Whole. The motion carried by voice vote.
- 34) Alderman Erickson submitted a communication regarding a 52 page "Government Responsive to the Needs of Berwyn Residents" with a "Proposal to Change the Structure of Berwyn City Government" which he read into the record. After discussion, Erickson made a motion, seconded by Chapman to refer the matter to a Joint Administration and Budget Committee. The motion carried by the following roll call: Yeas: Chapman, Ramos, Phelan, Lovero, Erickson. Nays: Weiner, Skryd, Brocato.
- 35) A deferred communication was submitted by the Berwyn Police Department regarding a handicapped sign for Christopher Ortiz, 3715 Clinton. Chapman made a motion, seconded by Skryd, to overrule the recommendation of the investigating officer and refer the matter to the Public Works Department for installation of said sign. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 36) The Public Works Department submitted a communication recommending that the MFT street light and traffic signal maintenance contract with Lyons Electric be extended until December 31, 2006. After discussion, Brocato made a motion, seconded by Skryd, to waive the bid process and concur in the recommendation as presented. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 37) The Board of Trustees Berwyn Firemen's Pension Fund submitted a communication regarding the estimated Fire Pension Cost for 2006. Chapman made a motion, seconded by Skryd to waive the reading and refer the matter to the Budget Committee. The motion carried by voice vote.
- 38) Richard J. Reimer & Associates, L.L.C. submitted a report of the Berwyn Police Pension Fund annual Tax Levy. Chapman made a motion, seconded by Skryd to refer the matter to the Budget Committee. The motion carried by voice vote.

- 39) The Human Resource Department submitted a communication regarding Auxiliary/Part Time Officers unit pay structure. Chapman made a motion, seconded by Brocato, to waive the reading. The motion carried by voice vote. Thereafter, Chapman made a motion, seconded by Brocato to concur and approve a bi-weekly pay at \$13.00 per hour and to refer the remainder of the communication to the Committee of the Whole. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 40) The Human Resource Department submitted a communication regarding the revision of a smoke free workplace policy. Chapman made a motion, seconded by Erickson to waive the reading. The motion carried by voice vote. Thereafter, Chapman made a motion, seconded by Erickson to refer the matter to the Administration Committee. The motion carried by voice vote.
- 41) The Berwyn Police Department submitted a communication regarding a handicapped sign for Grace Birnbaum, 1612 Highland Avenue. Brocato made a motion, seconded by Phelan, to concur in the recommendation of the investigating officer and refer the matter to the Public Works Department for installation of said sign. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero, Erickson. Nays: none.
- 42) Frank Novotny and Associates, Inc., submitted a communication regarding Engineer's Payment Estimate No. 3 & Semi-Final to Strada Construction in the amount of \$43,961.74 for the 2005 MFT Sidewalk, Curb & Gutter Maintenance Repairs. Brocato made a motion, seconded by Skryd to concur in the recommendation and approve for payment. The motion carried by the following roll call: Yeas: Chapman, Ramos, Weiner, Skryd, Brocato, Phelan, Lovero. Nays: Erickson.
- 43) At this time, the Consent Agenda, items K-1 through K-5 were submitted. Chapman made a motion, seconded by Skryd to bring forth K-4, a communication regarding a report for the First Senior Winter Vehicle Check and to accept the matter as informational. The motion carried by voice vote.
- 44) Phelan made a motion, seconded by Brocato to bring forth item K-2, a communication regarding twenty-five foot lots. After discussion, Phelan made a motion, seconded by Brocato to refer the matter to the Committee of the Whole. The motion carried by the following roll call:



Yeas: Chapman, Brocato, Phelan, Lovero, Erickson. Nays: Ramos, Weiner, Skryd.

45) The following items from the Consent Agenda are as follows:

K-1 Holiday Decorations

K-3 Deletions from the Committee of the Whole Referral List

K-5 Notification of written orders at conclusion of liquor license hearings

Brocato made a motion, seconded by Skryd to accept the matters as informational. The motion carried by voice vote.

46) Alderman Chapman invited all to attend the Depot District annual Festival of Lights to be held on Saturday, December 10, 2005.

47) The Mayor announced a Committee of the Whole for Tuesday, December 13, 2005 at 6:00 p.m. on Referrals.

48) Alderman Chapman announced a Budget Committee meeting for Monday, November 28, 2005 at 7:00 p.m. on Referrals.

49) Alderman Skryd announced a Building, Zoning and Planning Committee meeting for Monday, December 12, 2005 at 7:00 p.m. on Referrals.

50) There being no further business to come before the meeting, same was, after a motion by Ramos, seconded by Skryd, adjourned at the hour of 10:20 p.m. by roll call vote.

Respectfully submitted,

Thomas J. Pavlik  
City Clerk

